

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (Currently Amended) An automotive seat assembly comprising;  
a seat cushion,  
a seat back having top and bottom portions,  
a seat frame for supporting said seat cushion and said seat back,  
a head restraint mounted to said seat frame by posts and capable of being moved between  
a deployed position and a retracted position, each of said posts has a plurality of notches, said  
head restraint comprising:

a control mechanism disposed within said head restraint for moving the head restraint  
between the deployed position and the retracted position, said control mechanism comprising a  
housing, a shaft pivotally mounted on said housing and biased to engage said posts, said shaft  
having a generally circular cross section with a flat surface and [[being]] positioned to engage  
said notches of each of said posts preventing movement of said head restraint and said shaft  
becomes spaced from said posts upon rotation thereof to disengage said notches enabling  
movement of said head restraint, and

a biasing device disposed between said posts and said housing for continuously biasing  
said head restraint towards the deployed position.

2.-13. (Cancelled)